IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 33431 of 2006(E)

PETITIONERS:
---

1. KOTTOOR SUGATHAN, AGED 35 YEARS,
   S/O.K.NARAYANAN, RESIDING AT KODAKKAD, VALIYAPOYIL
   KODAKKAD VILLAGE, HOSDURG TALUK,KASARAGOD DISTRICT

2. KOTTOOR JANARDHANAN, AGED 65 YEARS,
   S/O. KRISHNAN, RESIDING AT PUTHILOTTU,
   KODAKKAD VILLAGE, HOSDURG TALUK,KASARAGOD DISTRICT

3. KOTTOOR GOVINDAN, AGED 62 YEARS,
   S/O. K.KUNHAMBU, RESIDING AT KODAKKAD, P.O. OLAT,
   KODAKKAD VILLAGE, HOSDURG TALUK,KASARAGOD DISTRICT

4. KOTTOOR RAJESH, AGED 29 YEARS,
   S/O. NARAYANAN, RESIDING AT KODAKKAD, VALIYAPOYIL,
   KODAKKAD VILLAGE, HOSDURG TALUK,KASARAGOD DISTRICT

5. AJEESH KUMAR, AGED 27 YEARS,
   S/O.T.P.NARAYANAN, PILICODE, THAZHE PURAYIL,
   ECHIKOVVAL, P.O. PILICODE, PILICODE VILLAGE,
   HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:
---

1. C.I. OF POLICE,
   CHANDERA POLICE STATION.

2. S.I. OF POLICE,
   CHANDERA POLICE STATION.

3. K.P.KUNHIKANAN, S/O. LATE KANNAN,
   KOTTAYEN PARAMBIL, P.O.KODAKKAD,KASARAGOD DISTRICT

4. P.M.KRISHNAN,S/O.LATE RAMAN,
   KODAKKAD,P.O.KODAKKAD,KASARAGOD DISTRICT.

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C) No. 33431 of 2006 E

Dated this the 20th day of December, 2006

Judgment

Koshy,J.

This is a petition alleging police harassment. Government Pleader submitted that a suit is pending and there is an injunction against the petitioner regarding burial of dead bodies in the burial ground mentioned in the petition, that some bodies were cremated in the place violating the injunction order and that crimes were registered. We are not expressing any opinion regarding the merits of the civil disputes or crime. If unnecessary crime is registered, petitioner has to move the machinery provided under the Code of Criminal Procedure for quashing the same. However, police to see that investigation should be conducted according to law.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

vaa